



July 14, 2009

LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk (MC 105)
ATTN: Agenda Docket Clerk
P.O. Box 13087
Austin, Texas 78711-3087
Fax: (512) 239-3311

RE: Docket No. 2009-0545-SLG
City of Gatesville,
Permit No. WQ0004464000

CHIEF CLERKS OFFICE

2009 JUL 14 PM 2:18

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Ms. Castañuela:

Please accept this response from the City of Gatesville to the contested case hearing request and the request for reconsideration on the above referenced application.

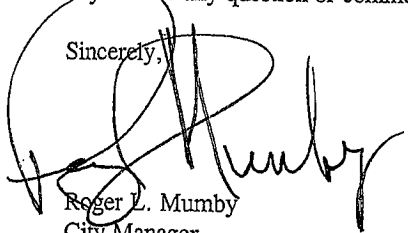
In response to the concern raised by Mr. Strieber, that the application of Class B sludge at the currently permitted site impacts air quality, we offer the following: the City of Gatesville utilizes a TCEQ recognized method of Vector Attraction Reduction, namely, the incorporation of the sludge into the soil within six hours of it being placed on the land, per TAC §312.83 (b) (10).

In response to the concern raised by Mr. Strieber, that the application of Class B sludge at the currently permitted site impacts land and water quality, we offer the attached Nutrient Management Plan summary letter, which states: "The City of Gatesville's current permit only allows 8.5 dry tons per acre per year of sludge on 25 acres. The site is capable of handling over 65.8 dry tons per acre per year without adverse effects on the environment." The currently permitted site is capable of handling a much greater nutrient load than is currently being applied.

Additionally, we have attached inspection reports from the TCEQ Waco Regional Office documenting multiple visits made to the site at the requests of Mr. Strieber. The reports illustrate that the site has been in compliance with TCEQ rules.

If you have any question or comments, please do not hesitate to contact me at 254-865-8951.

Sincerely,


Roger L. Mumby
City Manager
City of Gatesville

Enclosures

Lindemann Engineering, Inc.

Eugene R. Lindemann, Ph.D., PE
Environmental Consultant

November 2, 2007

Bury + Partners
% Mr. Gilbert P. Gregory
Public Works Coordinator
3000 South 31st Street, Suite 308
Temple, Texas 76502

Ref.: TCEQ Permit TX-04464 Renewal

Dear Mr. Gregory:

Attached is the Nutrient Management Plan for the City of Gatesville's land application site. The plan involves land application of Class B sewage sludge (relating to pathogen reduction) incorporated on grass land. The estimated yield goal is 4 tons/acre (3 hay cuttings).

The Texas Commission on Environmental Quality (TCEQ) requires nutrient management plans be developed by Texas Nutrient Management Specialist using the USDA-NRCS and Texas Cooperative Extension *Texas Nutrient Management Planning Tools*.

The City of Gatesville plans to apply sewage sludge to approximately 25 acres of Bermuda grass adjacent to the municipal owned airport. Based on estimates provided by the treatment plant operators, approximately 285 dry tons of sludge is produced each year.

The permitted level of 8.5 dry tons per acre per year is equivalent to 212 dry tons annually. The disposal site is capable of handling approximately 1,644 dry tons of material. At the permitted level of 8.5 dry tons per acre per year, the estimated yield goal will not be achieved. The permitted application rate will supply enough nutrients for approximately one ton of production per year. The estimated yield goal of 4 tons of hay per year will require the application of commercial fertilizers. Refer to the tables in the Nutrient Management Plan (Section 3) for required amounts of commercial fertilizer.

Forage produced must be removed from the site soon after it is harvested. Forage that is cut and left lying on the ground re-cycles the removed nutrients back into the soil. If sludge is applied while plant residues are lying on the ground, the maximum nutrient levels could be exceeded.

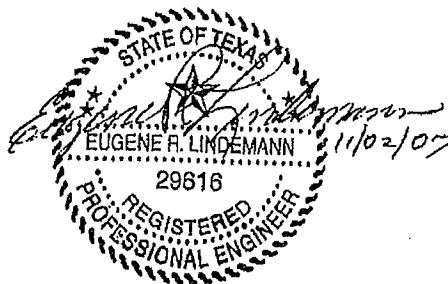
The City of Gatesville's current permit only allows 8.5 dry tons per acre per year of sludge on 25 acres. The site is capable of handling over 65.8 dry tons per acre per year without adverse effects on the environment. To meet the current permit application level, approximately 75 dry tons per year must be applied at another location.

Please contact me if you have any questions.

Sincerely,



Eugene R. Lindemann, Ph. D., PE
Texas Nutrient Management Specialist
Certificate No. TX03009
Expires: December 31, 2007



PO Box 1662 Temple, Texas 76503
Telephone (254) 778-6385
Mobile (254) 760-4059
Fax (254) 778-1579
e-mail: erlinderet@aol.com

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.C., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 4, 2009

The Honorable David Byrom
Mayor of Gatesville
110 North 8th Street
Gatesville, Texas 76528

5/5
Email
For your files
W

Re: Compliance Evaluation Investigation at:
Gatesville Airport Beneficial Land Use Site, Gatesville (Coryell County), Texas
TCEQ ID No.: WQ0004464-000; Regulated Entity No.: RN101664274; Investigation
No.: 738757

Dear Mayor Byrom:

On March 13, 2009, Melinda Luetke of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced operation to evaluate compliance with applicable requirements for beneficial land use of wastewater treatment plant sludge. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Melinda Luetke in the Waco Regional Office at (254)751-0335.

Sincerely,

Frank Burleson
Water and Waste Section Manager
Waco Regional Office

FB/ML/gb

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 27, 2009

The Honorable David Byrom
Mayor of Gatesville
110 North 8th Street
Gatesville, Texas 76528

Re: Compliance Evaluation Investigation at:
Gatesville Airport Beneficial Land Use Site, Gatesville (Coryell County), Texas
TCEQ ID No.: WQ0004464-000; Regulated Entity No.: RN101664274

Dear Mayor Byrom:

On February 26, 2009, Hugh Moore and Frank Burleson of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced operation to evaluate compliance with applicable requirements for beneficial land use of wastewater treatment plant sludge. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Hugh Moore in the Waco Regional Office at (254)751-0335.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frank Burleson", is written over a horizontal line.

Frank Burleson
Water and Waste Section Manager
Waco Regional Office

FB/HM/gb

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 12, 2008

The Honorable David Byrom
Mayor of Gatesville
110 North 8th Street
Gatesville, Texas 76528

Re: Compliance Evaluation Investigation at:
Gatesville Airport Beneficial Land Use Site, Gatesville (Coryell County), Texas
TCEQ ID No.: WQ0004464-000; Regulated Entity No.: RN101664274

Dear Mayor Byrom:

On July 23, 2008, Hugh Moore of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced operation to evaluate compliance with applicable requirements for beneficial land use of wastewater treatment plant sludge. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Hugh Moore in the Waco Regional Office at (254)751-0335.

Sincerely,

A handwritten signature in dark ink, appearing to read "F. Burleson", is written over a horizontal line.

Frank Burleson
Water and Waste Section Manager
Waco Regional Office

FB/hm/ps

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 6, 2008

Mr. Roger Mumby
City Manager
City of Gatesville
110 N. 8th Street
Gatesville, TX 76528

Re: Complaint Investigation at:
City of Gatesville Airport
Gatesville (Coryell County) Texas
TCEQ ID No.: RN101664274, Investigation No.: 681843

Dear Mr. Mumby:

On May 16, 2008, Mr. David Smalley of the Texas Commission on Environmental Quality (TCEQ) Waco Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for air quality. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. David Smalley in the Waco Region Office at (254) 751-0335.

Sincerely,

A handwritten signature in dark ink, appearing to read "Goldman", is written over a horizontal line.

Gary Goldman
Air Section Manager
Waco Region Office

GG/DS/ks

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 19, 2008

The Honorable David Byrom
Mayor of Gatesville
110 North 8th Street
Gatesville, Texas 76528

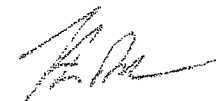
Re: Compliance Evaluation Investigation at:
Gatesville Airport Beneficial Land Use Site, Gatesville (Coryell County), Texas
TCEQ ID No.: WQ0004464-000; Regulated Entity No.: RNRN101664274

Dear Mayor Byrom:

On March 25, 2008, Hugh Moore of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced operation to evaluate compliance with applicable requirements for beneficial land use of wastewater treatment plant sludge. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Hugh Moore in the Waco Regional Office at (254)751-0335.

Sincerely,



Frank Burleson
Water and Waste Section Manager
Waco Regional Office

FB/HM/gb

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 24, 2007

The Honorable David Byrom
Mayor of Gatesville
110 North 8th Street
Gatesville, TX 76528

Re: Complaint Investigation at:
Collection system located at 1815 Mills Street, Gatesville, Coryell County, Texas
TCEQ ID No.: WQ0010176-004; Regulated Entity No.: 101664274; Incident Nos.: 94019

Dear Mayor Byrom:

On July 26, 2007, Hugh Moore of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced location to evaluate compliance with applicable requirements for wastewater. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Hugh Moore in the Waco Regional Office at (254) 751-0335.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristy Wolter".

Kristy Wolter
Water Section Work Leader
Waco Regional Office

KW/HM:gb

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 5, 2007

Honorable David Byrom, Mayor
City of Gatesville
110 North 8th Street
Gatesville, TX 76528

Re: Complaint Investigation at:
City of Gatesville Municipal Airport,
One mile southwest of intersection of State Hwy 116 and US Hwy 84,
Gatesville, Coryell County, Texas
TCEQ ID No.: WQ0004464-000
Regulated Entity No.: 101664274, Incident Nos.: 90048/90314

Dear Mayor Byrom:

On May 7, 2007, Hugh Moore and Matthew Vaughn of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater sludge land application. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Hugh Moore in the Waco Regional Office at (254) 751-0335.

Sincerely,

Kristy Wolter

Kristy Wolter
Water Section Work Leader
Waco Regional Office

KW/hm/ps

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 26, 2007

Mr. Fred Weaver
Wastewater Treatment Superintendent
City of Gatesville
110 N 8th
Gatesville, TX 76528

Re: Odor Complaint at:
City of Gatesville Airport, 137 Airport Rd., Gatesville, Coryell County
Regulated Entity No.: RN101664274

Dear Mr. Weaver:

On April 12, 2007, Christina French of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable air quality requirements. No violations were documented during this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. French in the Waco Regional Office at (254) 772-9240.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Goldman", is written over a horizontal line.

Gary Goldman
Air Section Manager
Waco Regional Office

GG/CLF/ks

cc: Central Records

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

GENERAL COMPLIANCE LETTER NO ALLEGED VIOLATIONS

April 7, 2005

Mr. Brandon Emmons, Gatesville City Manager
City of Gatesville
110 North 8th Street
Gatesville, Texas 76528

Re: Comprehensive Compliance Investigation at:
The City of Gatesville Beneficial Land Use Site, Gatesville, Coryell County, Texas
TPDES Permit No. 710412 Investigation #: 348127

Dear Mr. Emmons:

On January 25, 2005, Michael Willingham of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for beneficial land use. No violations were documented during the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Willingham in the Waco Regional Office at (254) 751 - 0335.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Burleson", is located above the typed name of Frank Burleson.

Frank Burleson
Water Section Manager
Waco Regional Office

FB/MW/ps

(Rev. 9/25/00)

REPLY TO: REGION 9 • 6801 SANGER AVE., STE. 2500 • WACO, TEXAS 76710-7826 • 254/751-0335 • FAX 254/772-9241

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tceq.state.tx.us

printed on recycled paper using soy-based ink

MAILING LIST
CITY OF GATESVILLE
DOCKET NO. 2009-0545-SLG; PERMIT NO. WQ0004464000

FOR THE APPLICANT:

Gil Gregory
Bury & Partners – Public Works Inc.
3000 S. 31st St. Ste. 308
Temple, Texas 76502-1852
Tel: (254) 742-2110
Fax: (254) 742-2120

Roger Mumby
City of Gatesville
110 N. 8th St.
Gatesville, Texas 76528-1457
Tel: (254) 865-8951
Fax: (254) 865-8320

FOR THE EXECUTIVE DIRECTOR:

Celia Castro, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Kellie Gene Crouch-Elliott, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division, MC-148
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-2435
Fax: (512) 239-4430

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

FOR OFFICE OF PUBLIC ASSISTANCE:

Ms. Bridget Bohac, Director
Texas Commission on Environmental Quality
Office of Public Assistance, MC-108
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4000
Fax: (512) 239-4007

**FOR ALTERNATIVE DISPUTE
RESOLUTION:**

Mr. Kyle Lucas
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4010
Fax: (512) 239-4015

FOR THE CHIEF CLERK:

Ms. LaDonna Castañuela
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311

REQUESTER:

Don Strieber
840 Chitwood Rd.
Gatesville, Texas 76528-1065

INTERESTED PERSONS:

Elizabeth Haley
3315 Bob Wallace Ave. SW Ste. 107
Huntsville, AL 35805-4090

Debra Sloane
P.O. Box 38
Gatesville, Texas 76528-0038